

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: September 1, 2018

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 19-29156
Anthony J. DiNuova Judge: _____
Debtor(s)

Chapter 13 Plan and Motions

☒ Original ☐ Modified/Notice Required Date: 10/28/2019
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☒ DOES ☐ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: EJC Initial Debtor: AJD Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 275 per month to the Chapter 13 Trustee, starting on November, 2019 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☒ Loan modification with respect to mortgage encumbering property:

Description: 2413 Hartford Drive, Glendora, NJ 08029

Proposed date for completion: 06/30/2020

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

Resume regular monthly payments to Select Portfolio Service November 1, 2019.

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 4,750 plus all other court approved fees and costs
DOMESTIC SUPPORT OBLIGATION		

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
GMAC	2010 Chevy Suburban	\$16,000	\$8,500	N/A	\$8,500 cramdown	6% till rate	\$9,860

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☒ **NONE**

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
☒ Not less than _____ 0 _____ percent
☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
GMAC	2010 Chevy Suburban	\$16,000	\$8,500	\$9,860	Any remaining balance due

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Jenkins & Clayman
- 3) GMAC
- 4) _____

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: 10/28/2019

/s/ Anthony J. DiNuova
Debtor

Date: _____

Joint Debtor

Date: 10/28/2019

/s/ Eric J Clayman
Attorney for Debtor(s)

Certificate of Notice Page 11 of 12
 United States Bankruptcy Court
 District of New Jersey

In re:
 Anthony J. DiNuova
 Debtor

Case No. 19-29156-JNP
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 50

Date Rcvd: Oct 29, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 31, 2019.

db
 518503232 +Anthony J. DiNuova, 2413 Hartford Drive, Glendora, NJ 08029-1756
 518503235 Aetna, c/o ORS, PO Box 291269, Nashville, TN 37229-1269
 518527711 Breg, Inc., c/o Benuck & Rainey, Inc., 25 Concord Road, Lee, NH 03861-6659
 518503237 +COMCAST, PO BOX 1931, Burlingame, CA 94011-1931
 518503239 Capital One Bank, c/o Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
 518503240 +Capital One Bank USA NA, 810 Bloomfield Avenue, West Caldwell, NJ 07006-6700
 518503243 +Capital One Bank USA NA, c/o Hayt, Hayt & Landau, LLC, Two Industrial Way West, Eatontown, NJ 07724-2265
 518503245 Citizens Bank, c/o Central Credit Services, LLC, PO Box 1880, Saint Charles, MO 63302-1880
 518503246 Cooper University Health Care, PO Box 95000-4345, Philadelphia, PA 19195-4345
 518503249 Cooper University Healthcare, c/o Arcadia Recovery Bureau, LLC, PO Box 70256, Philadelphia, PA 19176-0256
 518503248 Emerg Phy Assoc of S Jers, c/o ARS, PO Box 630806, Cincinnati, OH 45263-0806
 518503250 Emerg Phy Assoc of S Jers, c/o HRRG, PO Box 5406, Cincinnati, OH 45273-7942
 518503254 GMAC, Payment Processing Center, PO Box 78143, Phoenix, AZ 85062-8143
 518503253 +HSBC Bank Nevada, NA/Orchard Bank, c/o FBCS, Inc., 330 S. Warminster Rd., Suite 353, Hatboro, PA 19040-3433
 518503258 Haddon Emergency Physicians, c/o Transworld Systems, Inc., PO Box 15095, Wilmington, DE 19850-5095
 518503256 +KML Law Group, 216 Haddon Avenue, Suite 406, Westmont, NJ 08108-2812
 518503257 +Kennedy Health System, c/o Jefferson Cherry Hill Hospital, 2201 Chapel Avenue West, Cherry Hill, NJ 08002-2048
 518503259 +Kennedy Health System, c/o Thomas and Cook, PO Box 598, Woodbury, NJ 08096-7598
 518503262 Mainline Emergency Medicine, PO Box 415751, Boston, MA 02241-5751
 518503266 Millenium Health, LLC, PO Box 844468, Dallas, TX 75284-4468
 518519648 PSE&G Co, PO Box 14444, New Brunswick, NJ 08906-4444
 518503269 +Pinnacle Service Solutions LLC, 4408 Milestrip Rd #247, Blasdel NY 14219-2553
 518503270 +Select Portfolio Servicing, c/o KML Law Group, PC, 216 Haddon Avenue, Suite 406, Westmont, NJ 08108-2812
 518503272 South Jersey Gas, PO Box 6091, Bellmawr, NJ 08099-6091
 518515101 +Temple University Hospital, ATTN: TUH Cashier, 3401 North Broad Street, Philadelphia, PA 19140-5189
 518503273 +U.S. Bank, N.A., Rebecca A. Solarz, Esquire, 216 Haddon Avenue, Ste. 406, Westmont, NJ 08108-2812
 518503274 +Virtua Health System, c/o Apex Asset Management LLC, PO Box 7044, Lancaster, PA 17604-7044
 518503274 Virtua-West Jersey Health System, Lockbox #8267, PO Box 8500, Philadelphia, PA 19178-8267

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Oct 29 2019 23:56:15 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Oct 29 2019 23:56:11 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 518503233 +E-mail/Text: bkrpt@retrievalmasters.com Oct 29 2019 23:56:10 AMCA, PO BOX 1235, Elmsford, NY 10523-0935
 518520345 E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Oct 29 2019 23:55:44 Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096
 518503234 E-mail/Text: legal@arsnational.com Oct 29 2019 23:55:49 Barclays Bank Delaware/JUNPER, c/o Associated Recovery Systems, PO Box 463023, Escondido, CA 92046-3023
 518503236 +E-mail/Text: bnc@alltran.com Oct 29 2019 23:55:19 Capital One Bank, c/o United Recovery Systems, LP, 5800 North Course Drive, Houston, TX 77072-1613
 518503241 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Oct 29 2019 23:52:32 Capital One Bank, USA, N.A., PO Box 71083, Charlotte, NC 28272-1083
 518503242 +E-mail/Text: bankruptcy@capvs.com Oct 29 2019 23:56:29 Cavalry Portfolio Service, 500 Summit Lake Drive, Valhalla, NY 10595-2322
 518503244 E-mail/Text: documentfiling@lciinc.com Oct 29 2019 23:54:42 Comcast, PO Box 70219, Philadelphia, PA 19176-0219
 518503247 E-mail/PDF: creditonebknofications@resurgent.com Oct 29 2019 23:52:28 Credit One Bank, PO Box 60500, City of Industry, CA 91716-0500
 518503251 +E-mail/Text: tlynch@gtmua.com Oct 29 2019 23:56:34 GTMUA, PO BOX 216, Glendora, NJ 08029-0216
 518503255 E-mail/Text: data_processing@fin-rec.com Oct 29 2019 23:55:48 HSBC Card Services, c/o Financial Recovery Services, Inc., PO Box 385908, Minneapolis, MN 55438-5908
 518503252 E-mail/Text: bkynotice@harvardcollect.com Oct 29 2019 23:57:10 Haddon Emergency Physicians, c/o Harvard Collection, 4839 N Elston Avenue, Chicago, IL 60630-2534
 518513970 E-mail/PDF: MerrickBKNotifications@Resurgent.com Oct 29 2019 23:51:52 MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 518503260 E-mail/PDF: MerrickBKNotifications@Resurgent.com Oct 29 2019 23:51:50 Merrick Bank, PO Box 660702, Dallas, TX 75266-0702
 518503261 +E-mail/Text: bankruptcydpt@mcmcg.com Oct 29 2019 23:56:10 Midland Funding, LLC, 3111 Camino Del Rio North, Suite 1300, San Diego, CA 92108-5750

District/off: 0312-1

User: admin
Form ID: pdf901

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Total Noticed: 50

Date Rcvd: Oct 29, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

518503263 +E-mail/Text: csc.bankruptcy@amwater.com Oct 29 2019 23:56:58 New Jersey American Water,
PO Box 578, Alton, IL 62002-0578
518503265 +E-mail/Text: bankruptcy_notifications@ccsusa.com Oct 29 2019 23:56:55
Progressive Garden State Ins. Co., c/o Credit Collection Services, Two Wells Avenue,
Newton Center, MA 02459-3225
518503264 +E-mail/Text: bankruptcy_notifications@ccsusa.com Oct 29 2019 23:56:55
Progressive Garden State Ins. Co., c/o Credit Collection Services, 725 Canton Street,
Norwood, MA 02062-2679
518503267 +E-mail/Text: bankruptcy_notifications@ccsusa.com Oct 29 2019 23:56:55 Quest Diagnostics,
c/o Credit Collection Services, Two Wells Avenue, Newton Center, MA 02459-3225
518503271 E-mail/Text: appebnmailbox@sprint.com Oct 29 2019 23:56:08 Sprint, PO Box 4191,
Carol Stream, IL 60197-4191
518503268 +E-mail/Text: jennifer.chacon@sp servicing.com Oct 29 2019 23:57:08
Select Portfolio Servicing, PO BOX 65250, Salt Lake City, UT 84165-0250

TOTAL: 22

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

518503238* +Capital One Bank, c/o Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
TOTALS: 0, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 31, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 28, 2019 at the address(es) listed below:

Eric Clayman on behalf of Debtor Anthony J. DiNuova jenkins.clayman@verizon.net,
connor@jenkinsclayman.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
Rebecca Ann Solarz on behalf of Creditor U.S. Bank, N.A., successor trustee to LaSalle Bank
National Association et al... rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 4